

AMENDED IN ASSEMBLY MAY 28, 2014

AMENDED IN SENATE APRIL 2, 2014

SENATE BILL

No. 1015

Introduced by Senator Galgiani
(Coauthor: Senator Gaines)

February 13, 2014

An act to amend and repeal Section 2690 of the Penal Code, relating to inmates, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1015, as amended, Galgiani. Inmates.

Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to authorize the temporary removal of any inmate from prison or any other institution for the detention of adults under the jurisdiction of the Department of Corrections and Rehabilitation, including removal for the purpose of attending college classes or permitting the inmate to participate in or assist with the gathering of evidence relating to crimes. Existing law also authorizes the secretary to require, except when the removal is for medical treatment or to assist with the gathering of evidence related to crimes, the inmate to reimburse the state, in whole or in part, for expenses incurred by the state in connection with the temporary removal. Existing law makes the provisions that specifically refer to removal for the purpose of permitting the inmate to participate in or assist with the gathering of evidence relating to crimes operative only until January 1, 2015.

This bill would make those provisions operative indefinitely.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2690 of the Penal Code, as amended by
2 Section 1 of Chapter 181 of the Statutes of 2013, is amended to
3 read:

4 2690. The Secretary of the Department of Corrections and
5 Rehabilitation may authorize the temporary removal of ~~any~~ *an*
6 inmate from prison or any other institution for the detention of
7 adults under the jurisdiction of the Department of Corrections and
8 Rehabilitation, including removal for the purpose of attending
9 college classes or permitting the inmate to participate in, or assist
10 with, the gathering of evidence relating to crimes. The secretary
11 may require that the temporary removal be under custody. Unless
12 the inmate is removed for medical treatment, the removal shall not
13 be for a period longer than three days. The secretary may require,
14 except when the removal is for medical treatment or to assist with
15 the gathering of evidence related to crimes, the inmate to reimburse
16 the state, in whole or in part, for expenses incurred by the state in
17 connection with the temporary removal.

18 SEC. 2. Section 2690 of the Penal Code, as added by Section
19 2 of Chapter 181 of the Statutes of 2013, is repealed.

20 SEC. 3. This act is an urgency statute necessary for the
21 immediate preservation of the public peace, health, or safety within
22 the meaning of Article IV of the Constitution and shall go into
23 immediate effect. The facts constituting the necessity are:

24 In order to enable law enforcement agencies to obtain important
25 evidence regarding serious crimes, including murder and
26 kidnapping, from inmates as soon as possible, it is necessary that
27 this act take effect immediately.